

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-2(c)

COLE, SCHOTZ, MEISEL,  
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Management Corporation

In Re:

CATALINA VELASQUEZ,  
Debtor.

Case No. 04-35597 (RTL)

CATALINA VELASQUEZ,  
Plaintiff,  
v.  
EDUCATIONAL CREDIT MANAGEMENT  
CORPORATION,  
Defendant.

Chapter 7

Judge: Raymond T. Lyons

Adv. Pro. No. 11-02367 (RTL)

**ORDER IN RESPONSE TO EDUCATIONAL CREDIT MANAGEMENT  
CORPORATION'S ("ECMC") MOTION TO DISMISS PLAINTIFF'S COMPLAINT  
WITH PREJUDICE OR, ALTERNATIVELY, TO COMPEL DISCOVERY AND  
AWARD COSTS AND COUNSEL FEES**

The relief set forth on the following page, numbered two (2), is hereby **ORDERED**.

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Debtor: CATALINA VELASQUEZ  
Adv. Pro. No: 11-02367 (RTL)  
Caption of Order: ORDER IN RESPONSE TO EDUCATIONAL CREDIT  
MANAGEMENT CORPORATION'S ("ECMC") MOTION TO  
DISMISS PLAINTIFF'S COMPLAINT WITH PREJUDICE OR,  
ALTERNATIVELY, TO COMPEL DISCOVERY AND AWARD  
COSTS AND COUNSEL FEES

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THIS MATTER having been opened to the Court by Cole, Schotz, Meisel, Forman & Leonard, P.A., attorneys for Defendant Educational Credit Management Corporation ("ECMC"), upon motion for entry of an order dismissing Plaintiff's complaint, with prejudice, based on Plaintiff's failure to respond to ECMC's discovery requests or, alternatively, to compel Plaintiff to respond to ECMC's discovery requests and for costs and counsel fees; and due notice appearing; and for good cause shown,

IT IS hereby ordered as follows:

1. Plaintiff's complaint in the above-captioned adversary proceeding is hereby dismissed with prejudice.

ALTERNATIVE RELIEF:

2. Plaintiff shall fully respond to ECMC's discovery requests within ten (10) days of the date of this Order.

3. Plaintiff shall pay to ECMC the reasonable costs and counsel fees expended by ECMC's counsel in connection with the preparation and prosecution of this motion upon submission of an appropriate Certification of Services.

4. Counsel for ECMC shall serve a copy of this Order on Plaintiff within five (5) days of receipt via certified and regular mail.